

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *AC* D.C.

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THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENN. MEMPHIS

JANICE and OLIVIA SHEPARD HAYES, )

Plaintiff, )

vs. )

No. 05-2019MaV

HOME TECH SERVICES CO., INC., )  
et al., )

Defendants. )

ORDER GRANTING PLAINTIFFS' MOTION TO MODIFY THE SCHEDULING ORDER

Before the court is the motion of the plaitniffs, Janice and Olivia Shepard Hayes, filed October 20, 2005, seeking a limited extension of the discovery period of forty-one days, from November 4, 2005, to December 15, 2005. The defendant Novastar Maortgage, Inc. opposes amending the scheduling order to allow additional time for discovery and insists that the plaintiffs have not shown good cause to amend the scheduling order. The motion was referred to the United States Magistrate Judge for determination.

A hearing was held Tuesday, November 1, 2005. For the reasons stated at the hearing, the plaintiffs' motion is granted as follows:

As to the plaintiffs, the discovery deadline is extended to December 15, 2005, for the limited purpose of scheduling and

*OS*

completing the five depositions previously noticed by the plaintiffs. In addition, all written discovery already propounded by the plaintiffs to the defendants shall be deemed timely, and the defendants shall respond to the written discovery.

As to the defendants, the discovery deadline is also extended to December 15, 2005, and the defendants can propound additional written discovery as long as the written discovery is timely propounded so that the plaintiffs have the time allowed by the rules to respond. The defendants may also schedule and complete depositions of the plaintiffs previously noticed.

All other dates remain the same.

IT IS SO ORDERED this 1st day of November, 2005.

  
\_\_\_\_\_  
DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE



## Notice of Distribution

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Honorable Samuel Mays  
US DISTRICT COURT